

**Minutes
Sumter County Council
Regular Meeting
September 25, 2007 - Held at 6:00 p.m.
County Administration Building County Council Chambers
13 E. Canal Street, Sumter, SC**

MEMBERS PRESENT: Vivian Fleming-McGhaney, Chairwoman; Eugene Baten, Vice Chairman; Artie Baker, Larry Blanding, Jimmy Byrd, Charles T. Edens, and Councilman Roland Robinson.

MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Mr. William T. Noonan, County Administrator; Mrs. Mary W. Blanding, Clerk to County Council; Mr. Johnathan Bryan, County Attorney; Mr. Gary Mixon, Deputy Administrator; The Honorable Verna Moore, County Coroner; and Mrs. Rose Ford, Recreation Director.

MEDIA PRESENT: The Item

PUBLIC PRESENT: Approximately 10 members of the public were in attendance.

CALL TO ORDER: Chairwoman Vivian Fleming-McGhaney called Sumter County Council's meeting of September 25, 2007, to order.

INVOCATION: Rev. Howard gave the invocation.

PLEDGE OF ALLEGIANCE: All in attendance repeated the Pledge of Allegiance.

APPROVAL OF AGENDA: Councilwoman McGhaney stated that she would entertain a motion to approve the September 25, 2007, agenda with any additions, deletions, or as printed.

ACTION: MOTION was made by Vice Chairman Baten, seconded by Councilman Edens, and unanimously carried by Council to approve the September 25, 2007, agenda as amended.

ACTION ON MINUTES OF SEPTEMBER 11, 2007: Chairwoman McGhaney stated that she would entertain a motion to approve the minutes of County Council's meeting of September 11, 2007.

The Clerk to Council asked Council to amend the minutes by changing the following Adding Council Byrd name as the person who seconded the motion to action on the minutes of September 11, 2007.

ACTION: MOTION was made by Councilman Robinson, seconded by Councilman Baker, and unanimously carried by Council to grant approval of the minutes of September 11, 2007, as presented by the Clerk.

LAND USE MATTERS AND REZONING REQUESTS – NONE

Planned Development/Rezoning Request – None

Street Name Change – None

Grant Awards – None

OTHER PUBLIC HEARINGS – None

NEW BUSINESS

(1) Presentation By Betsy Ridgeway On Behalf Of Sumter-Shaw Community Concert Association.

Ms. Betsy Ridgeway presented Council members, the Administrator, and the Clerk to Council with tickets for the Sumter-Shaw Community Concert events for the upcoming year. She also thanked Council for all that they have done for the Sumter-Shaw Community Concert Association.

Chairwoman McGhaney thanked Ms. Ridgeway on behalf of Sumter County Council; she also stated that the volunteer hours that the members of the Community Concert Association give to the organization are priceless.

ACTIONS: Received as information.

(2) Update On Sumter County Career Center By Sharon Teigue.

Ms. Teigue stated that the Career Center's name has been changed to the Sumter County Career Readiness System. The Center is now made up of Adult Education and the Career Center. She briefed Council on the following items:

1. Renovations to the front office which had not been renovated since it was built. This was paid for through grant resources.
2. Received the Award "Palmetto Gold."
3. Renovated the Auto Technology Class.
4. Students, staff, and Administrators took part in cleaning up the Career Center.
5. The new technology, including internet services, is a work in progress. New computers have been ordered for all classrooms.
6. Safety issues have been addressed. All the shops are treated as if it is a work place.
7. A retired OSHA compliance officer completed a "walk through" of the Career Center and the officers made suggestions as to what needed to be improved relative to safety concerns. All the concerns have been addressed; therefore, the Center is OSHA compliant.
8. Classroom management has been addressed; Mr. Gregory Jones, the Assistant Director, has helped the instructors become trained in classroom management techniques. This has helped with minimizing discipline problems.
9. The air conditioning issues have been rectified; plus the landscaping issues around the building have been updated.
10. The Career Center also held an open house and had almost 100% parent participation.

11. There is no more multi level placement; the 11th graders attend the Career Center in the morning and the 12th graders attend in the afternoon. The levels are not mixed
12. All the Shop students have earned 10-hour OSHA Card
13. All students are working to earn the Career Readiness -Work Keys - Certificate. Also, it is the goal of the Career Center to have 100% of the senior students involved in Coop agreements during their second semester.
14. The Career Center has instituted a night program and plan to expand the night program.
15. New welding booths have been ordered. The Career Center is working with local industry and the Technical College in providing means to increase the number of welders in the community since currently there is a shortage of welders in the community.
16. The Career Center students compete in state and national competitions. New uniforms have been provided to the students for use in their classroom and competitions.

After Mrs. Tiegue's presentation, Council members thanked her for what she has done to assist in moving the Career Center into a positive way. Chairwoman McGhaney and Vice Chairman Baten thanked Mrs. Tiegue for her dedication and outstanding work. Mrs. Tiegue thanked Council and the two School Superintendents for all they have done to assist in the growth of Career Center.

ACTION: No action taken; received as information.

- (3) Proclamation Proclaiming October 6, 2007, as Red Hat Society Day In Sumter County, South Carolina.

The Clerk to Council presented this proposed proclamation to Council for adoption consideration. After review of the proclamation; Council took action on this ordinance.

WHEREAS, The Red Hat Society is a social organization which was created in 1999 by Sue Ellen Cooper and several of her closest and dearest friends, and this society began as a result of these friends deciding to greet middle age with vitality and humor; and

WHEREAS, The Red Hat Society members believe silliness is the comedy relief of life and its members intentionally labor together by common life experiences with enthusiasm for where life opportunities and challenges takes it members; and

WHEREAS, Members of the Red Hat Society join hands in spreading joy and companionship and to gain higher visibility for women over the age of 50 as well as to reshape the way older women are viewed by today's culture.

NOW, THEREFORE, BE IT RESOLVED that Members of Sumter County Council hereby appreciate and support the matured women and their many assets, experiences, and expertise.

BE IT FURTHER RESOLVED that Sumter County Council recommends that October 6, 2007, be proclaimed as the Red Hat Day in Sumter County, South Carolina and that the date of October 6th represents the second annual Red Hat Day in Sumter County.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council to adopt the proclamation as presented and directed the chairwoman and the Clerk to execute and deliver the resolution on behalf of the County.

(4) Discussion On Sumter County School Consolidation – Vice Chairman Eugene Baten.

Vice Chairman Baten addressed Council about this matter. He stated that Sumter County's Legislative Delegation has made the decision to consolidate Sumter County School District #2 and #17 and call the new school district Sumter County School District #19. This matter is being discussed throughout the County; however, one of the questions in the forefront is "what is the need for the consolidation". Vice Chairman Baten further stated that the community members want to know how the community will be improved by this consolidation. What are the vision and the plans for this consolidation?

He added that if the spin-off for this consolidation is economic development, then he is all for the consolidation; however, his major concern is being able to make an informed decision about supporting or not supporting this issue of consolidation. Therefore, he would like for Council to see if they would set-up a meeting with the Delegation and ask the Delegation to present to Sumter County Council their vision concerning the consolidation of the school districts and its impact on Sumter (improvements for economic development and improvement to education are key questions).

It was suggested that a meeting be set-up by the Clerk to Council between the Sumter County Legislative Delegation and Sumter County Council.

The Administrator stated that there have been in the past several meetings between Council and the Delegation; he suggested that the Clerk set-up the meeting for not only the school district issue, but for other matters that might be of interest for Sumter County Council.

ACTION: Received as information; the Clerk was asked to set-up this meeting so that it could happen before the Delegation goes into session in January.

- (5) It May Be Suggested To Hold Executive Session To Receive A Legal Briefing From The County Attorney Or Discuss Contractual Or Personnel Matters.

No executive session held.

OLD BUSINESS -

- (1) 07-651 -- Second Reading -- An Ordinance To Amend Chapter 4, Article II Of The Sumter County Code Of Ordinances To Promulgate The Requirements For Registering A Dangerous Animal.

The Chairwoman presented the proposed ordinance to Council for second reading consideration. The County Attorney, Mr. Johnathan Bryan, stated that there have been no changes since first reading. He and the Sheriff have not spoken about any additional fee to offset the cost of processing the registration. After review of the ordinance, Council took action on second reading.

The Chairwoman also asked for someone to find out whether or not it would be better to use the "computer chip" instead of or in addition to a dog tag.

Also, Councilman Baker asked that liability of the animal be listed in this ordinance so that the owner will be responsible for any actions taken by the dog whether it is to a human, property, or another animal. Mr. Bryan called it to Council's attention that the ordinance does speak to liability insurance. Council members asked for it to be made clear in the ordinance that the insurance is for each dog or dangerous animal and for each owner of a dangerous animal whether it is a dog or another type of dangerous animal.

WHEREAS, S. C. Code of Laws, §47-3-710 defines "dangerous animal" as an animal of the canine or feline family:

1) which the owner knows or reasonably should know has a propensity, tendency or disposition to attack unprovoked, cause injury or otherwise endanger the safety of human being or domestic animals; or

2) which:

a) makes an unprovoked attack that causes bodily injury to a human being and the attack occurs in a place other than the place where the animal is confined as required by S. C. Code of Laws §47-3-720; or

b) commits unprovoked acts in a place other than the place where the animal is confined as required by S. C. Code of Laws §47-3-720 and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being; or

3) which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting.

WHEREAS, S.C. Code of Laws, §47-3-760(E) requires every person who owns a dangerous animal to register the animal with the local law enforcement authority of the county in which the owner resides; and

WHEREAS, S.C. Code of Laws, §47-3-760(E) authorizes the county governing body to determine the requirements of the registration for such dangerous animals

NOW THEREFORE, BE IT ORDAINED BY THE SUMTER COUNTY COUNCIL, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. Any person residing in Sumter County, who owns a dangerous animal, as that term is defined in S. C. Code of Laws, §47-3-710, shall register the animal with the Sumter County Sheriff by visiting the Sheriff's office and completing such forms as the Sheriff shall require to identify the owner, the animal and the place where the animal is confined, as required by in S. C. Code of Laws, §47-3-720.
2. The owner shall provide the proof of liability insurance or surety bond required by S.C. Code of Laws, §47-3-760(E) at the time the animal is registered.
3. The Sheriff shall supply to the owner the metal license and certificate in accordance with S.C. Code of Laws, §47-3-760(E).
4. Violation of this Ordinance by the owner of a dangerous animal is a violation of S.C. Code of Laws, §47-3-760(A) and such violations shall be punished in accordance with the punishment prescribed in that section.
5. This Ordinance shall take effect upon its adoption.

ACTION: MOTION was made by Councilman Baker, seconded by Councilman Robinson, and unanimously carried by Council to grant second reading as presented.

- (2) 07-652 -- Third Reading -- An Ordinance Authorizing Sumter County, South Carolina, To Enter Into A Lease/Purchase Transaction Relating To The Financing Of Fire Equipment; Authorizing The Execution And Delivery Of An Equipment Lease Purchase Agreement In An Amount Not To Exceed \$600,000; And Other Matters Relating Thereto.

The Chairwoman presented this ordinance before Council for third reading approval; then Council took action on this matter.

ACTION: MOTION was made by Councilman Byrd, seconded by Vice Chairman Baten, and unanimously carried by Council to grant third reading as presented.

COMMITTEE REPORTS:

- (1) Fiscal, Tax, and Property Committee Meeting Held On Tuesday, September 25, 2007, At 4:30 P.M. In County Council's Conference Room At The County Administration Building (McGhaney, Blanding, and Edens -- All Council Members Are Asked To Attend This Meeting.)

The Chairman of the Committee, Chairwoman McGhaney, gave the following report and recommendations.

- A. Continued Discussions and Possible Action Concerning Sumter Airport Hangar Construction Project. (Bill Lynam)

The Committee received an update from Mr. Lynam concerning the funding needs for the airport hangar construction. The following action was recommended and acted upon by the Committee.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to direct the Administrator and Attorney to move forward with finding a funding method to satisfy the two phases of the construction project and to negotiate with the City of Sumter to share equally in the cost of this project.

- B. Request For Funds for Courthouse 100th year Celebration.

The Committee received a request from the Clerk to Council requesting funds for the upcoming 100th year celebration of the Courthouse. The funds needed for the project is approximately \$2,000. After discussion the action was recommended and acted upon by the Committee.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to allow \$2,000 to be used for the 100th year Celebration of the courthouse scheduled for October 21, 2007, from 3:00 p.m. to 5:00 p.m. on the Courthouse steps.

- C. Discussion and Possible Action On Revision In Sumter County Water Policy.

The Committee received a presentation from the County Administrator concerning changes in the Sumter County Water Policy. The Committee recommended approval of the changes as listed in the table below.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the changes to the Sumter County Water Policy as presented to Council. The changes are effective September 26, 2007.

Page No.	Section No.	Added Information
Page 2	Index	Page Numbers added
Page 9	Operating Policy No. 6	Dates meters are read
Page 10	Operating Policy No. 7	Rendering updated to accurate due dates; Payment section updated to correspond with Policy No. 15
Page 16	Operating Policy No. 12	First Paragraph – reworded Sixth paragraph – reworded leaving out mobile home
Page 19	Operating Policy No. 15	Delete No. 1 already addressed in Policy No. 7 Moved No. 2 up to No. 1 - reworded it by making correction of 15th of each month for deadline of payment to correspond with Policy No. 7, and adding the already approved late fee of 10% or \$5.00 whichever is greater and Water Service will be disconnected by the 20th of each month for non-payment. No. 2 – reworded to correspond with Policy No. 16.
Page	Operating Policy No. 16	Reworded No. 1 and No. 2 to correspond with Policy No. 15.

D. Update On Revised Policy Concerning Replacing A Road Name Sign.

The Committee discussed the possibility of changing the policy concerning replacing a road name sign (private roads). After discussions the Committee took action on the following recommendation which was acted upon by Council. The Committee also recommended that the street sign only be replaced two times, unless due to an accident, act of nature, or extenuating circumstances. Otherwise, a request will be forwarded to the planning Commission for a name change to the street in question.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve \$10,000 from the County’s Road User Fee line item to be used for replacing signs that are destroyed or removed in the County.

E. Streetlight Request.

The Committee discussed the possibility of updating the streetlight policy as it is currently written and practiced.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to direct the Clerk to Council and the County Attorney to revise the policy for and bring back before the Committee.

F. Discussion and Possible Action On Memorandum Of Agreement Between Richland, Charleston, Anderson, Lexington, and Sumter Counties Concerning Joint Development And Ownership Of A Software System.

The Committee reviewed this information and directed the County Administrator to work with other Counties concerning this matter.

G. Political Signs

The Committee received a request from Councilman Byrd and Councilman Robinson to send a request to the Planning Commission to consider the changes to the political sign ordinance as listed below.

d. Political Signs. Change to the following:

1. No sign allowed in this section may be erected within the public rights-of-way or on other public properties.
2. Political signs must not exceed 32 sq. ft.
3. Political signs erected for a specific election or referendum may be erected no more than 90 days prior to that polling date and must be removed not later than 15 days after that date.
4. No change to number 5.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve the recommendation to forward the above items to the Planning Commission for possible change.

(3) Report From Council Members On Other Meetings, Trainings, and/or Conferences.

- Ø The Chairwoman stated that she and the County Administrator, William T. Noonan, visited Washington concerning the MEGA Park. They had the opportunity to meeting with all DeMint, Clyburn, Graham, and Spratt. The trip was held on Tuesday, September 18, 2007.

MONTHLY REPORTS:

- Ø Delegation Letter – Ceremony Honoring Luke Rogers
- Ø SCAC – Upcoming Meeting – Wednesday, October 10, 2007.
- Ø Letter From Joe E. Taylor – Trip To People’s Republic Of china
- Ø Time Warner Cable
- Ø E-mail From George McGregor – Subdivision Permit and Build-Out Details
- Ø New Article – Georgia Counties Mark R1 Million In Surplus Sales Using Gov Deals
- Ø School District #17
- Ø Sumter Little Theatre
- Ø Historical Commission
- Ø Public Works
- Ø Letter From Carl Holmes, Sr.

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- Ø Letter From Robert C. Spencer
- Ø Letter From Eugene R. Baten
- Ø Sumter Development Board
- Ø Santee Lynches Regional Council of Governments
- Ø Safe Routes To School – SCDOT Grant
- Ø Letter From Marsha Boykin
- Ø Community Development Block Grant
- Ø Indigent Defense Act – Act No. 108 of 2007
- Ø Airport Commission
- Ø Sheriff's Department Monthly Report

ADMINISTRATOR'S REPORT:

- Ø The Administrator gave details on the Washington Trip; especially the process in installing rail to the MEGA site.
- Ø The Administrator stated that the County needs to be able to provide the federal and state officials with more specific knowledge about Sumter County's needs. There is a growing number of counties and cities that are hiring people to represent them in Columbia and Washington. Sumter needs to review this possibility.
- Ø Mrs. Rose Ford announced that the Dixie Youth Board has approved Sumter County's bid for the World Series in July 2009.

PUBLIC COMMENT:

The Chairwoman asked if anyone from the public would like to make comments to members of Sumter County Council. The following persons spoke:

- Ø Marilyn Moore thanked Council for all they do; but she gave special thanks to the Recreation Department for all that they do.
- Ø Olan Burkett talked about the Item Newspaper getting the date wrong for Council's meeting and then not placing the correction on the front page. He also talked to Council about the proposed dog ordinance and asked for clarification concerning dogs that are fenced in and someone agitating the dog.
- Ø Mr. Edward Alston, a member of Sumter School District Two Board of Trustees, stated some of his concerns about the process for consolidating the schools.
- Ø Mr. Charles Drayton talked about the consolidation of schools and the error made by the Item. He also stated his concern about School District #17 acquiring land on Bultman Drive.

ADJOURNMENT:

There being no further business and no additional comments from the public, the meeting was adjourned at 6:48 p.m.

Respectfully submitted,

Vivian Fleming-McGhaney

Mary W. Blanding

Chairman or Vice Chairman
Sumter County Council

Clerk to County Council
Sumter County Council

Approved: _____

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I certify that public and media notification of the above-mentioned meeting was given prior thereto as follows:

Public Notified: Yes

Manner Notified: Agendas posted on bulletin board on third floor of the Administration Building.

Date Posted: September 20, 2007

Media Notified: Yes

Manner Notified: Agendas were sent to most radio stations, television stations, and newspapers in the Sumter, Columbia, Manning, and Florence communities. Also, E-Mail notification was sent to Sumter County's Home Page, WIBZ, The Item, The Chamber, Time Warner Cable.

Date Notified: September 20, 2007

Respectfully submitted,

Mary W. Blanding

Mary W. Blanding